

SENATE JOURNAL
60TH LEGISLATURE / SPECIAL SESSION MAY 2007
FIFTH LEGISLATIVE DAY

Helena, Montana
May 15, 2007

Senate Chambers
State Capitol

Senate convened at 9:05 a.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. Senators Laible, Perry excused. Quorum present.

Yeas: Bales, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Moss, Murphy, Pease, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 39

Nays: Balyeat, Brown, Esp, Gebhardt, Jackson, Lind, McGee, O'Neil, Shockley.

Total 9

Absent or not voting: None.

Total 0

Excused: Laible, Perry.

Total 2

REPORTS OF STANDING COMMITTEES

TAXATION (Elliott, Chairman):

5/15/2007

SB 5, do pass. Report adopted.

HB 9, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate amendments to House bills concurred in:

5/15/2007

HB 2, introduced by Clark

HB 3, introduced by L. Jones

MOTIONS

Senator Williams moved **SB 5** be placed on second reading this Legislative day. Senator Stapleton objected to the motion due to no fiscal note being attached to the bill. Senator Williams withdrew her motion.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 5, introduced by Gillan, referred to Taxation.

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Senate recessed

Senate reconvened at 10:58 a.m.

Roll Call. Senators Laible, Perry, Lind, McGee, Gillan excused. Quorum present.

Yeas: Barkus, Black, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Moss, Murphy, Pease, Peterson, Ryan, Schmidt, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 38

Nays: Bales, Balyeat, Brown, Gebhardt, Jackson, O'Neil, Shockley.

Total 7

Absent or not voting: None.

Total 0

Excused: Gillan, Laible, Lind, McGee, Perry.

Total 5

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Williams moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Wanzenried in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 9 - Senator Elliott moved **HB 9** be concurred in. Motion carried as follows:

Yeas: Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Ryan, Schmidt, Shockley, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 32

Nays: Bales, Balyeat, Barkus, Black, Brown, Essmann, Juneau, Kaufmann, McGee, O'Neil, Peterson, Stapleton, Steinbeisser, Story, Tash.

Total 15

Absent or not voting: Esp.

Total 1

Excused: Laible, Perry.

Total 2

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Wanzenried moved the Committee of the Whole report be adopted. Report adopted unanimously.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 9 concurred in as follows:

Yeas: Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Kitzenberg, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Ryan, Schmidt, Shockley, Smith, Squires, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 31

Nays: Bales, Balyeat, Barkus, Black, Brown, Esp, Essmann, Gebhardt, Juneau, Kaufmann, Laible, McGee, O'Neil, Perry, Peterson, Stapleton, Steinbeisser, Story, Tash.
Total 19

Paired: Harrington, Laslovich, Schmidt, Ayes; Esp, Laible, Perry, Noes.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senator Williams presented a sheet of antique music titled "Montana" to President Cooney. The Senate sang "Montana" lead by Senator McGee. Farewells were exchanged by all.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn **SINE DIE** Tuesday, May 15, 2007. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, O'Neil, Pease, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 47

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Esp, Laible, Perry.

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Total 3

Senate adjourned at 12:34 p.m.

JOHN MUDD
Secretary of Senate

MIKE COONEY
President of the Senate